

REMARKS

Claims 1, 8, 15, 21, and 29 are amended to more clearly point out that which is being claimed.

Claims 1, 2, 4, 5, 8, 9, 11, 12, 15, 21, 23, 25-30, 32, and 33 are pending.

Rejections under 35 U.S.C. §103(a)

Of the pending claims, Claims 1, 2, 4, 5, 8, 9, 11, 12, 15, 21, 23, 25-30, 32, and 33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over an article by Linda Stuart ("Netware Mobile extends network to off-line users"), in view of an article by Scott Spanbauer ("Happy 2000-or 1900!. Qwerty verses Dvorak. Stop a hard disk from churning."), and in further view of published EP Patent Application No. 01109486.9 published as EP 1,150,207 for inventors Suzuki et al.

Applicants respectfully traverse these rejections for at least the following reasons.

Nether *Stuart*, *Spanbauer*, and/or *Suzuki et al.* disclose a method as recited in independent Claim 1 that includes "assigning each of a plurality of data files to one of a plurality of specific corresponding downloadable file groups, for each downloadable file group, compressing together all assigned data files to form one processed image for the downloadable file group, deriving a unique identifier for the processed image using the processed image, generating a listing of unique

1 identifiers, storing the processed images and the listing of unique identifiers within
2 a source device, comparing the listing of unique identifiers with a current listing of
3 unique identifiers of a client device, and selectively sending processed images
4 from the source device whose unique identifiers appear in the listing of unique
5 identifiers but not in the current listing of unique identifiers in the client device”.

6 More particularly, the cited references fail to disclose or even reasonably
7 suggest “deriving a unique identifier for the processed image using the processed
8 image”. The Office Action admits that this is not taught by *Stuart* and/or *Suzuki et*
9 *al.* Instead, the Office Action points to *Spanbauer* as allegedly teaching this part
10 of the claimed method.
11

12 Here is the cited paragraph from *Spanbauer*:

13 The second type of patch comes as a collection of files compressed into one
14 or more archive files to speed and simplify downloading. Since decompressing
15 one of these tends to dump a bunch of cryptically named files in to whatever
16 directory the archive file (usually a .zip or self-extracting .exe. file) is in, I
17 recommend always creating a new directory and moving the archive file there first
18 before extraction. That way, you can delete the extracted files easily after the
19 patch process is complete. Check the decompressed files for a readme.txt,
20 readme.1st, or read.me file, which usually explains the steps you need to follow.

21 Notice that *Spanbauer* only discusses file names with respect to the files
22 that are decompressed (referring to them as “a bunch of cryptically named files”).
23 *Spanbauer* does not discuss how the compressed archive file is named or
24 identified. *Spanbauer* therefore fails to disclose or otherwise suggest deriving a
25 unique identifier for the processed image using the processed image as recited in
Claim 1.

1 Thus, the method in Claim 1 is clearly patentable over *Stuart, Spanbauer,*
2 and/or *Suzuki et al.*, as are Claims 2, 4 and 25, which depend therefrom and recite
3 further limitations.

4 Independent Claim 8 is directed towards a computer-readable medium
5 having computer-executable instructions for causing at least one processing unit to
6 perform certain acts. The acts include assigning each of a plurality of data files to
7 one of a plurality of specific corresponding downloadable file groups and for each
8 downloadable file group compressing together all assigned data files to form one
9 processed image for the downloadable file group. Further acts recited include
10 deriving a unique identifier for the processed image using the processed image,
11 generating a listing of unique identifiers, and storing the processed images and the
12 listing of unique identifiers within a source device. Additional acts include
13 comparing the listing of unique identifiers with a current listing of unique
14 identifiers in a client device, and selectively downloading processed images from
15 the source device to the client device whose unique identifiers appear in the listing
16 of unique identifiers but not in the current listing of unique identifiers in the client
17 device.
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20 The exemplary arguments stated above with regard to Claim 1 are also
21 applicable to Claim 8. Thus, the computer-readable medium in Claim 8 is clearly
22 patentable over *Stuart, Spanbauer*, and/or *Suzuki et al.*, as are Claims 9, 11, 12
23 and 26, which depend therefrom and recite further limitations.
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1 Independent Claim 15 is directed towards an apparatus that includes
2 memory and logic. The logic is operatively configured to assign each of a
3 plurality of data files to one of a plurality of specific corresponding downloadable
4 file groups, and for each downloadable file group compress together all assigned
5 data files to form one processed image for the downloadable file group. The logic
6 also derives a unique identifier for the processed image using the processed image
7 and stores the processed images and a listing of unique identifiers to the memory.
8 The logic is also configured to compare the listing of unique identifiers with a
9 current listing of unique identifiers in a client device to identify processed images
10 that need to be provided to the client device.
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12 The exemplary arguments stated above with regard to Claim 1 are also
13 applicable to Claim 15. Thus, the apparatus in Claim 15 is clearly patentable over
14 *Stuart, Spanbauer, and/or Suzuki et al.*, as is Claim 27, which depends therefrom
15 and recites further limitations.
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17 Independent Claim 21 is directed towards a system that includes a network,
18 a server device and a client device. The server device is configured to assign each
19 of a plurality of server-based data files to one of a plurality of specific
20 corresponding server-based downloadable file groups, and for each server-based
21 downloadable file group compress together all assigned data files to form one
22 processed image for the server-based downloadable file group. The server device
23 is also configured to derive a unique identifier for the processed image using the
24 processed image. The server device can also selectively output the processed
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1 images and a latest listing of unique identifiers over the network. The client
2 device, which communicates with the server device through the network, is
3 configured to maintain a listing of unique identifiers associated with processed
4 images stored locally within the client device and to compare the listing of unique
5 identifiers with a downloaded latest listing of unique identifiers from the server
6 device, and selectively download processed images whose unique identifiers
7 appears in the latest listing of unique identifiers from the server device but not in
8 the listing of unique identifiers in client device.
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10 The exemplary arguments stated above with regard to Claim 1 are also
11 applicable to Claim 21. Thus, the system in Claim 8 is clearly patentable over
12 *Stuart, Spanbauer, and/or Suzuki et al.*, as are Claims 23 and 28, which depend
13 therefrom and recite further limitations.
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15 A computer-readable medium is recited in Claim 29 as having computer-
16 executable instructions for causing at least one processing unit to perform acts that
17 include assigning each of a plurality of data files to one of a plurality of specific
18 corresponding downloadable file groups, for each downloadable file group,
19 compressing together all assigned data files to form one processed image for the
20 downloadable file group, and deriving a unique identifier for the processed image
21 using the processed image. Additional acts include generating a listing of unique
22 identifiers and storing the processed images and the listing of unique identifiers
23 within a source device.
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1 The exemplary arguments stated above with regard to Claim 1 are also
2 applicable to Claim 29. Thus, the computer-readable medium in Claim 29 is
3 clearly patentable over *Stuart, Spanbauer, and/or Suzuki et al.*, as are Claims 30,
4 32 and 33, which depend therefrom and recite further limitations.

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6 **Conclusion**

7 For at least the reasons presented above, the pending claims are patentable
8 over the cited art. It is respectfully requested, therefore, that the rejections be
9 reconsidered and withdrawn and the application be allowed.
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12 Respectfully Submitted,

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